

**GEORGIA BOARD OF DISPENSING OPTICIANS**  
**Conference Call/ZOOM Board Meeting Minutes**  
**October 12, 2022 8:30 A.M.**

The Georgia Board of Dispensing Opticians met via teleconference/ZOOM on Wednesday, October 12, 2022. The Board's Executive Director hosted the meeting from the Professional Licensing Division, 237 Coliseum Drive, Macon, Georgia 31217.

**Board Members Present:**

Gloria Ethridge, Chair  
 Amy Stowers, Vice-Chair  
 Dave Meldrum  
 Glenn Morris

**Board Members Absent:**

Mary Ramsey  
 Angelic Moore, Consumer Member

**Administrative Staff Present:**

Brig Zimmerman, Executive Director HC-1  
 Linsey Joiner, Board Support Specialist  
 Amanda Allen, Licensing Supervisor

**Attorney General's Office Representative:**

Alexis Cromartie, AAG  
 Mary Brannen, AAG

**Visitors Present:**

Brianna Cuenca, OTI  
 Brian Diener, OTI

**Ms. Ethridge, Chair, established that a quorum was present and called the meeting to order at 8:37 a.m.**

**Agenda:** Approved with no additional items

**Meeting Minutes:**

- July 13, 2022 C.C. Board Meeting (No Quorum)
- August 24, 2022 C.C. Board Meeting

**Recommendations:**

- Approve as presented
- Approve as presented

**Mr. Meldrum moved, Mr. Morris seconded, and the Board voted to approve the Board Meeting minutes from the July 13, 2022 C.C. Board meeting as presented. None opposed, motion carried.**

**Mr. Meldrum moved, Mr. Morris seconded, and the Board voted to approve the Board Meeting minutes from the August 24, 2022 C.C. Board meeting as presented. None opposed, motion carried.**

**Application Ratify List:** Issued Date: 7/13/2022 - 10/7/2022

License No.	Licensee
LDO002925	Autumn Tierra Davis
LDO002926	Dallas Starling Anderson
LDO002927	Barbara Ann Caldwell
LDO002928	Laura Scott Ensley
LDO002929	Brian Andrew Athearn
LDO002930	Nancy Michele Ulrich
LDO002931	Lea J Hightower
LDO002932	Dorian Omar Cabrera
LDO002933	Joshua Allen O'Dell
LDO002934	Courtney Shae Barton
LDO002935	Matthew Barry Roach

LDO002936	Danielle Maureen Cannon
LDO002937	Serene George
LDO002938	Samra Sasic
LDOA002309	Aprina Mae Martinez
LDOA002310	Zamayia SM McLaurin
LDOA002311	Angela Nicole Coley
LDOA002312	Emmanuel Antonio Duran
LDOA002313	Michael Lee Robinson
LDOA002314	Hayat M Ahmed
LDOA002315	Jasmine Kery Diaz
LDOA002316	Alisha Tahliah Buggs
LDOA002317	Aimee Nielle Dunnam

LDOA002318	Detra Lachelle Jordan
LDOA002319	Shelby Renee Cody
LDOA002320	Sachiel Luciel Gonzalez
LDOA002321	Maria Belen Halstead
LDOA002322	Glenda Hall Ferris
LDOA002323	Victoria Brooke Harper
LDOA002324	Anika LaShay Pratt
LDOA002325	Alexis Marie Spires
LDOA002326	Christoper Matthew Jackson
LDOA002327	Patricia Irene George
LDOA002328	Gina Geronimo Colon

LDOA002329	Tytianna Wy'Shae Thomas
LDOA002330	Jennifer Ann Whyte
LDOA002331	Kennedy Peyton Phillips
LDOA002332	Tara Nicole Brown
LDOA002333	Catherine Jane Smith
LDOA002334	Gabriel Colon, III
LDOA002335	Thomas Jeffery Bridges
LDOA002336	Gary Kent Duncan
LDOA002337	Christopher Martin Hearn
LDOA002338	Suzanne B Luther
<b>TOTAL:</b>	<b>44</b>

**Mr. Meldrum moved, Ms. Stowers seconded, and the Board voted to approve the ratify listing of licenses issued between meetings administratively as presented. None opposed, motion carried.**

**Optical Training Institute: Optician Development Program Overview Presentation:** Dr. Brian Diener and Dr. Brianna Cuenca presented the program overview to the Board for consideration of approval pursuant to O.C.G.A. 43-29-7(d). The Board will review the course materials presented and table the final decision for the scheduled January 11, 2023 Board meeting.

**Public Rules Hearing:** 8:50 a.m.

- 420-2-.01 Registration and Reinstatement
- 420-2-.02 Certificate Lost, Destroyed or Name Change

**Ms. Etheridge called the Public Rules Hearing to Order at 9:15 a.m.**

*There were no oral or written submissions received regarding the proposed rule changes of Rule 420-2-.01 Registration and Reinstatement and 420-2-.02 Certificate Lost, Destroyed or Name Change during the minimum thirty (30) days pre-hearing posting of the rule. Following the rule hearing and discussion regarding proposed amendments, the Board voted to adopt the following proposed rule amendments as posted.*

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

#### ❖ **Rule 420-2-.01. Registration (Renewal) and Reinstatement**

**Purpose:** The purpose of the proposed adoption is housekeeping in nature and to bring the current rule in line with the changes to the Joint Secretary rules which control the Board renewal period.

(1) All persons practicing as a dispensing optician shall register with the Division Director of the Professional Licensing Boards Division and shall pay a biennial registration fee on or before the March 31st renewal date each odd numbered year of the registration year. Licenses may be renewed between April 1st of each ~~odd numbered year,~~ and ~~May 31st~~ April 30<sup>th</sup> of each odd numbered year with payment of a late renewal penalty fee in addition to the renewal fee. Failure to register and pay the appropriate renewal fee by the deadline ~~shall lapse said license by operation of law~~ renew a license by April 30<sup>th</sup> of each odd numbered year shall have the same effect as revocation of such license, making the license subject to reinstatement as set forth below. Individual licenses lapsed by operation of law may be considered for reinstatement by submission of an application approved by the Board, any supporting documents or other requirements as defined in 420-2-.01(3) below; and paying the established ~~registration reinstatement application fee and an additional penalty.~~

(2) Any service member as defined in O.C.G.A. § 43-1-31 whose license to practice opticianry expired while serving on active duty outside the state shall be permitted to practice opticianry in accordance with the expired license and shall not be charged with a violation relating to such practice on an expired license for a period of six (6) months from the date of her or her discharge from active duty or reassignment to a location within the state. Any such service member shall be entitled to renew such expired license without penalty within six (6) months after the date of ~~her~~ his or her discharge from active duty or reassignment to a location with the state. The service member must present to the board a copy of the official military orders, or a written verification signed by the service member's commanding officer to waive any charges.

(3) Reinstatement of an expired or lapsed license is at the discretion of the board. All applications ~~are to~~ may be subject to reviewed by a designated Board member.

(a) An applicant for reinstatement of an expired or lapsed license must submit a completed reinstatement application provided by the Board, pay the required ~~registration~~ reinstatement application fee ~~and additional penalty fee~~, and shall comply with one of the following:

1. An application for reinstatement of an expired or lapsed license submitted within two (2) years of the effective date of the expiration or lapse of that license must submit evidence of completion of fifteen (15) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the fifteen (15) hours, a minimum of two (2) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). Of the fifteen (15) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the fifteen (15) continuing education hours for reinstatement, no hours may be obtained or will be accepted for reinstatement via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four-hour day.

2. An application for reinstatement of an expired or lapsed license that's been lapsed or expired for more than two (2) years, but less than four (4) years, of the effective date of the expiration or lapse must submit evidence of completion of thirty (30) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the thirty (30) hours, a minimum of four (4) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). Of the thirty (30) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the thirty (30) continuing education hours for reinstatement, no hours may be obtained or will be accepted for reinstatement via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four-hour day.

3. An application for reinstatement of an expired or lapsed license that's been lapsed or expired for more than four (4) years of the effective date of the expiration or lapse must also submit evidence of completion of thirty (30) course hours of continuing education obtained within the two (2) years prior to the date of the reinstatement application. Of the thirty (30) hours, a minimum of four (4) hours shall be in the area of contact lenses and must be obtained from a Board recognized approved source pursuant to O.C.G.A. 43-29-11(b). Of the thirty (30) hours, no more than five (5) hours may be obtained via the internet. Effective 04-01-2017, of the thirty (30) continuing education hours for reinstatement, no hours may be obtained or will be accepted for

reinstatement via the internet or home study except for those provided by the Opticians Association of America, the National Academy of Opticianry or the Opticians Association of Georgia. No more than eight (8) hours of continuing education may be obtained in one twenty-four-hour day. In addition, the following must be submitted:

(i) Verification of current ABO/NCLE Certification.

(ii) Applicants for reinstatement under this rule who were licensed in Georgia before January 1, 1987, and who have continued to practice in the field of opticianry in another state or jurisdiction, and who currently and consistently have held a valid, unencumbered dispensing opticians license in that state shall not be required to provide current ABO/NCLE certification.

(b) If reinstatement is granted, any continued education hours credited for the reinstatement application shall not be used or applied towards the continuing education requirements for the renewal period following the date of reinstatement. Reinstated licenses may be subject to a continuing education hours audit at renewal after reinstatement of licensure.

4. The Board shall ratify the reinstatement of all licenses between Board meetings at the next scheduled Board meeting following the reinstatement.

**Authority: O.C.G.A. §§ 43-1-7, 43-1-25, 43-29-3(d), 43-29-6 and 43-29-10**

**Mr. Meldrum motioned, Mr. seconded, and the Board voted to adopt Rule 420-2-.01. Registration (Renewal) and Reinstatement as posted. None opposed, motion carried.**

**❖ Rule 420-2-.02. ~~Certificate Lost, Destroyed, or Name Change~~ Repealed**

**Purpose:** The purpose of the proposed adoption is housekeeping in nature and is proposing the repeal of this rule in its entirety as the Board no longer issues wall certificates subject of this rule.

~~The Board shall issue a duplicate certificate of registration when it shall be certified to the Board that the original has been lost, destroyed or there has been a name change. The fee required will be twenty five (\$25.00) dollars. To receive a duplicate wall certificate, the licensee must surrender the original license, if not lost or destroyed, prior to receiving a new license.~~

**Authority: O.C.G.A. §§ 43-1-(C)(3)**

**Ms. Stowers motioned, Ms. Ethridge seconded, and the Board voted to repeal Rule 420-2-.02 Certificate Lost, Destroyed, or Name Change as posted. None opposed, motion carried.**

**In addition, Mr. Meldrum motioned, Mr. Morris seconded and the Board voted that the formulation and adoption of these Board rules does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-(C)(3) 43-1-7, 43-1-25, 43-29-3(d), 43-29-6 and 43-29-10 and that it is not legal or feasible to meet the objectives of O.C.G.A. O.C.G.A. §§ 43-1-(C)(3) 43-1-7, 43-1-25, 43-29-3(d), 43-29-6 and 43-29-10 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Dispensing Opticians. None opposed, motion carried.**

Ms. Stowers motioned, Ms. Ethridge seconded, and the Board voted that the memo of statutory authority for all the rule revisions heard this date to be released to the Governor's office as presented. None opposed, motion carried.

Mr. Meldrum moved, Mr. Morris seconded, and the Board voted to enter Executive Session in accordance with O.C.G.A. 43-1-2(k) (1) (2), 43-1-2(k) (3) (4), 43-1-2(k) (4) and 50-14-4(b) to review applications, the AG report, complaints and prior meeting executive session minutes. Voting in favor of the motion were those Board members present Ethridge, Morris, Meldrum and Stowers.

At the conclusion of Executive Session on Wednesday, October 12, 2022, Ms. Ethridge declared the meeting back into "open" session pursuant to the Open and Public Meeting Act O.C.G.A. § 50-14-1 et seq. No votes were obtained during Executive Session.

**Applications:** *No applications presented during today's meeting*

**Cognizant/Enforcement Complaint Report:**

- **Recommend Closure:** DISP220001
- **Pending Receipt of Investigative Report from Investigations:** DISP220005/DISP220006, DISP220009/220010 (Companion Cases)
- **Pending Board Review:** DISP220008

Ms. Stowers moved, Ms. Ethridge seconded, and the Board voted to accept the Cognizant Enforcement report as presented. None opposed, motion carried.

**Attorney General's Report:**

Ms. Alexis Cromartie, AAG and Mary Brannen, AAG, provided a status and activity report to the Board for review and discussion.

Mr. Morris moved, Mr. Meldrum seconded, and the Board voted to accept the Assistant Attorney General's report as presented. None opposed, motion carried.

**Executive Session Minutes:**

- August 24, 2022 CC Board Meeting

**Recommendation:**

Approve as presented

Ms. Ethridge moved, Ms. Stowers seconded, and the Board voted to approve the August 24, 2022 Conference Call Board Meeting Executive Session minutes as presented. None opposed, motion carried.

Ms. Ethridge moved, Mr. Morris seconded, and the Board voted to adjourn the meeting at 9:47 a.m.

Minute recorded by:

Linsey Joiner, Board Support Specialist

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

**GLORIA ETHRIDGE**

Chair

**BRIG ZIMMERMAN**

Executive Director, HC1

Meeting minutes were approved **January 11, 2023**